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C O N F I D E N T I A L SECTION 01 OF 02 DAR ES SALAAM 001539

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DEPT AF/E FOR MBEYZEROV, AF/RSA FOR MBITTRICK
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JUSTICE FOR ASST A/G RCOMISAC
MCC FOR KFICKENSCHER, MKAVANAGH

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TAGS: [PHUM](#) [PREL](#) [KWMN](#) [PGOV](#) [EAID](#) [MOPS](#) [TZ](#)
SUBJECT: TANZANIA: AMBASSADOR GREEN DISCUSSES
ANTI-TRAFFICKING IN PERSONS ISSUES, MCC SIGNING WITH
FOREIGN MINISTER MEMBE

Classified By: Deputy Chief of Mission, D. Purnell Delly for
reasons 1.4 (b,d)

Summary

1. (C) Tanzania's Minister of Foreign Affairs and International Cooperation (MFA), Bernard Membe, told Ambassador Green on November 27 that he has instructed Ambassador Ombeni Sefue to work proactively to resolve the issue of the domestic worker who was employed without pay by an official of the Tanzanian Embassy in Washington D.C. Membe stated he did not want the diplomat to be recalled to Dar es Salaam until this issue was resolved. Although the alleged victim was personal household staff and not an official Embassy employee, the Government of Tanzania (GOT) is committed to resolving this issue quickly and equitably. Membe also told Ambassador Green that Tanzania's draft anti-trafficking in persons (TIP) legislation will soon be sent to the Cabinet for approval, the final step before the bill is tabled in the Parliament. Minister Membe agreed with the Ambassador that no public statements are needed on the Millennium Challenge Corporation Compact signing before the funds for Tanzania's MCC compact are appropriated by Congress and the signing date set. End summary.

Status of Comprehensive Anti-Trafficking Legislation

2. (C) Ambassador Green outlined for Minister Membe the key issues that the Government of Tanzania needs to address to effectively combat the trafficking of persons, noting that the State Department is mandated by Congress to report annually on progress in the prevention, protection and prosecution of human trafficking in every country worldwide. The Ambassador voiced his concern that Tanzania's comprehensive anti-trafficking legislation that had been requested by President Kikwete and drafted early in 2007 by the Ministry of Public Safety and Security appeared to have stalled in Zanzibar for nearly six months during the interagency comment period.

3. (C) Membe reported that he had received a note from President Kikwete a few days earlier asking for an update on the status of this legislation and in particular, if the bill was ready for approval by the Cabinet. Membe promised that his deputy would look into the matter and he would inform the Ambassador once the bill was sent to the Cabinet. (Note: Cabinet approval is the final step before a bill can be introduced to the Parliament for a first reading. End note.)

¶4. (SBU) Minister Membe also assured the Ambassador that his ministry will continue to host interagency meetings involving all Government of Tanzania (GOT) ministries and agencies concerned with effectively combating human trafficking. He stressed that the GOT knows the serious nature of this problem and "we are fully on board" with an interagency process that would aid in halting human trafficking.

Tanzanian Official Case in Washington DC

¶5. (C) Minister Membe explained that the Ministry of Foreign Affairs is working actively to resolve the unfortunate situation in Washington in which a mid-level Tanzanian Embassy official did not pay a Tanzanian woman who had worked as housekeeper for nearly four years the salary stipulated in her contract. He has been in close consultations with Ambassador Sefue, who is currently in Tanzania, as well as other concerned GOT officials.

¶6. (C) While the alleged victim was a personal employee of the diplomat, Alan Mzenge, and not an Embassy employee, Minister Membe said he had told Ambassador Sefue to instruct Mr. Mzenge that he must compensate the former housekeeper in full and that this compensation should be settled out of court before Mr. Mzenge completed his Washington assignment and returned to Dar es Salaam. Membe said if he had recalled Mr. Mzenge, it would have appeared that the diplomat was being allowed to "run away" from the situation. "I did not want to create that appearance; thus I asked that he stay and resolve this matter first," Membe said.

¶7. (C) Minister Membe explained that since the compensation amount would be more than Mr. Mzenge could pay up-front in a lump sum, that he had authorized the Ministry of Foreign

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Affairs to pay the amount which would be subtracted in installments from Mr. Mzenge's monthly salary. According to Membe, an accountant at the Tanzanian Embassy had calculated that the minimum owed the former housekeeper would be her contracted monthly salary (USD 900) times the 48 months she was not paid, a total of approximately USD 45,000.

¶8. (C) However, Ambassador Sefue had told the Minister that he had been informed by his Embassy staff that the alleged victim's lawyers were asking for USD 300,000 and a large percentage of that amount was for attorney fees. Membe said that this sum appeared exorbitant according to his advisors. However, the Ministry's goal remains to have Mr. Mzenge pay fair compensation to the wronged housekeeper, then bring the diplomat and his family back to Tanzania as quickly as possible.

¶9. (C) Ambassador Green replied that this case was now with the U.S. Department of Justice and not the State Department. He could not, of course, offer legal advice nor could the State Department intervene in a legal proceeding. However, the Ambassador stressed the gravity of the charges and wisdom of prompt resolution. Membe stressed he urgently wanted to resolve this issue in a manner that was fair for the alleged victim. He had even spoken with the Chair of the House Foreign Relations Committee personally about the GOT's commitment to quietly but fairly resolve this issue. However, Membe said he was "shaken" when he learned from Ambassador Sefue the huge sum the plaintiff's attorney was asking for. Ambassador Green reiterated that any criminal matters rest with the Department of Justice. Also, no USG agency can influence a private law firm and it is a characteristic of the our judicial system that private attorneys often work on a contingency fee basis. However, he promised Minister Membe to report the situation to the Department.

ACOTA Peacekeeping Training and US Assistance

¶10. (SBU) Ambassador Green updated Minister Membe on the

current plans for the State Department-sponsored ACOTA peacekeeping training of three battalions from the Tanzanian Peoples Defence Force (TPDF) that is scheduled to begin in late January 2008. The Ambassador expressed our appreciation that President Kikwete is fulfilling his commitment to send up to three battalions to assist with stabilizing the situation in Darfur, and pledged our continuing cooperation to prepare the TPDF for this deployment. The Ambassador also told Membe that in addition to the MCC Compact--which is a mutual agreement, not a grant--in FY 2008, the USG will give an additional USD 600 million in bilateral, multilateral and private assistance to Tanzania. Membe expressed his appreciation for the continuing close bilateral cooperation with the United States both in assistance and in the common goals we share. He shared with the Ambassador an update on his own efforts to resolve the impasse between the Government of Burundi and the opposition Palipehutu-FNL (septel).

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